

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, November 12, 2014, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Patricia Heim. Attending the meeting were board members Henry Fincher, Tom Lawless and Norma Lester. Justin Pitt participated via telephone.

Approval of Meeting Minutes

On motion by Lawless seconded by Fincher, the board voted unanimously to approve the minutes from the October 8, 2014 regular board meeting.

Requests for Reconsideration

14-42 James Beeler, for failure to file a 2014 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Beeler has had a previous matter before the board. (see below)

The board voted at its September 10, 2014 meeting to issue Mr. Beeler a show cause notice.

The board voted at its October 8, 2014 meeting to assess Mr. Beeler a \$10,000 civil penalty. Mr. Beeler requested a reconsideration of the \$10,000 civil penalty assessment.

Mr. Beeler filed the required report which closed his campaign account and submitted a statement for the board's consideration.

On motion by Pitt, seconded by Fincher, the board voted unanimously to reconsider the \$10,000 civil penalty assessment. On motion by Lester, seconded by Fincher, the board voted unanimously to reduce the civil penalty from \$10,000 to \$0.

Show Cause Hearings

14-39 Strong & Free Tennessee, for failure to show original sources of contributions on their 2014 pre-primary campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. The organization has had a previous matter before the board. (see below)

The board voted at its August 13, 2014 meeting to issue the organization a show cause notice.

The board voted at its October 8, 2014 meeting to take no further action in this matter until the next regularly scheduled meeting to allow Mr. Thornton, representative for the organization, an opportunity to appear before the board.

Mr. Thornton personally appeared before the board and explained the organization's possible failure to show the original sources of contributions on their report.

On motion by Lawless, seconded by Fincher, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting.

14-11 Strong & Free Tennessee, for failure to register as a local PAC in Morgan and Roane counties. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. The organization has had a previous matter before the board. (see above)

The board voted at its October 8, 2014 meeting to issue the organization a show cause notice.

Mr. Thornton personally appeared before the board and explained the organization's failure to timely file the appointment of treasurer forms.

Director Rawlins informed the board that the organization has filed the appointment of treasurer form with both Morgan and Roane counties.

On motion by Fincher, seconded by Lawless, the board voted unanimously to take no further action in this matter.

Statement Submitted

14-10 Joe Brown, for. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. Mr. Brown has had no previous matters before the board.

Based on a sworn complaint, the board voted at its October 8, 2014 meeting to issue Mr. Brown a show cause notice.

Mr. Brown submitted a statement and requested that the board defer any further action in this matter until the next regularly scheduled meeting to allow him further opportunity to respond to the show cause notice.

On motion by Fincher, seconded by Lawless, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting to allow Mr. Brown further opportunity to respond to the show cause notice.

Cases Subject to Approval of Civil Penalty Order

14-08 Brenda Radford, for possible violations of the campaign financial disclosure law. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation.

Based on a sworn complaint, the board voted at its August 13, 2014 meeting to perform a contribution audit of Ms. Radford's 2014 2nd Quarter campaign financial disclosure report.

The board voted at its October 8, 2014 to issue Ms. Radford a show cause notice.

Ms. Radford corrected her report, submitted statements and personally appeared before the board.

On motion by Lawless, seconded by Lester, the board voted unanimously to assess Ms. Radford a \$500 civil penalty.

14-53 Vance Carrier, for failure to file a 2014 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Carrier has had no previous matters before the board.

The board voted at its October 8, 2014 meeting to issue Mr. Carrier a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

A motion was made by Lawless, to assess Mr. Carrier a \$10,000 civil penalty assessment. A friendly amendment was made by Heim, accepted and seconded by Lawless to assess Mr. Carrier a \$1,000 civil penalty. The motion to assess Mr. Carrier a \$1,000 civil penalty passed the board 4 to 1, with Fincher voting “no.”

14-43 Quincy McKnight, for failure to file a 2014 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. McKnight has had previous matters before the board. (see below)

The board voted at its September 10, 2014 meeting to issue Mr. McKnight a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Lawless, seconded by Lester, the board voted unanimously to assess Mr. McKnight a \$100 civil penalty assessment.

14-56 Quincy McKnight, for failure to file a 2014 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. McKnight has had a previous matter before the board. (see above)

The board voted at its October 8, 2014 meeting to issue Mr. McKnight a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Lawless, seconded by Lester, the board voted unanimously to assess Mr. McKnight a \$100 civil penalty assessment.

14-57 Tim Pirtle, for failure to file a 2014 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Pirtle has had a previous matter before the board. (see below)

The board voted at its October 8, 2014 meeting to issue Mr. Pirtle a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

On motion by Fincher, seconded by Pitt, the board voted 4 to 0 to take no further action in this matter, with Lawless “abstaining.”

14-58 Lee Russell, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class two (2), 57 days late, maximum ten thousand (\$10,000) civil penalty. Judge Russell has had a previous matter before the board.

The board voted at its October 8, 2014 meeting to issue Judge Russell a show cause notice.

Director Rawlins informed the board that Judge Russell’s campaign account is now closed but that there has been no response to the show cause notice.

A motion was made by Fincher to take no further action. The motion to take no further action died for a lack of a second. A motion was made by Lester, seconded by Heim, to assess Judge Russell a \$150 civil penalty. The motion to assess Judge Russell a \$150 civil penalty failed the board 3 to 1, with Fincher voting “no” and Lawless “abstaining.”

14-59 Steven Turner, for failure to file a 2014 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Turner has had previous matters before the board.

The board voted at its October 8, 2014 meeting to issue Mr. Turner a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Heim, seconded by Lester, the board voted unanimously to assess Mr. Turner a \$250 civil penalty.

14-60 Orrden Williams, Jr., for failure to timely file a 2014 pre-primary campaign financial disclosure report. Class one (1), 26 days late, maximum six hundred fifty (\$650) civil penalty. Mr. Williams has had no previous matters before the board.

The board voted at its October 8, 2014 meeting to issue Mr. Williams a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

On motion by Lawless, seconded by Lester, the board voted unanimously to assess Mr. Williams a \$250 civil penalty.

14-48 Support Tennessee Grapes and Wines, for failure to timely file a 2014 2nd quarter campaign financial disclosure report. Class one (1), 18 days late, maximum four hundred fifty (\$450) civil penalty. The organization has had previous matters before the board.

The board voted at its September 10, 2014 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

On motion by Heim, seconded by Lester, the board voted unanimously to assess the organization a \$450 civil penalty.

Cases Considered for Issuance of Show Cause Notice

James Beeler, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Beeler has had a previous matter before the board. (see above)

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Lee Burgess, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Burgess has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Felicia Corbin-Johnson, for failure to timely file a 2014 Pre-General campaign financial disclosure report. Class one (1), 18 days late, maximum four hundred fifty (\$450) civil penalty. Ms. Johnson has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

Michael Farley, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. Mr. Farley has had a previous matter before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Edward Martindale, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Martindale has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Tim Pirtle, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Pirtle has had a previous matter before the board. (see above)

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Paul Robinson, Jr., for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. Mr. Robinson has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Jerry Stokes, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Stokes has had no previous matters before the board.

On motion by Heim seconded by Pitt, the board voted unanimously to take no action.

Mark Ward, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Ward has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Shelby County Democratic Executive Committee, for failure to file an Appointment of Political Treasurer statement. Class two (2), maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to issue a show cause notice.

Tennessee Distillers PAC, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. The organization has had a previous matter before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Tennessee Forward PAC, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. The organization has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Turner PAC, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Yes We Can PAC, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had no previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Zeneca Inc. PAC, for failure to timely file a 2014 3rd Quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had previous matters before the board.

On motion by Heim, seconded by Pitt, the board voted unanimously to take no action.

Other Business

Cross Indexing Report

Director Rawlins provided the board with a cross indexing report which contains contributions reported as being given by PACs but not reported by candidates for the 2014 1st Quarter, 2nd Quarter and Pre-Primary reporting periods. Director Rawlins

informed the board that the list contained only those that exceeded the exemptions contained in T.C.A. §2-10-110.

The following candidates failed to report PAC contribution(s) on their original campaign financial disclosure statements:

- Kevin Brooks
- Ophelia Ford
- Thelma Harper
- Darren Jernigan
- Gloria Johnson
- Judd Matheny
- Dennis Roach
- Michael Sparks
- Joe Towns, Jr.

On motion by Heim, seconded by Lawless, the board voted unanimously to issue a show cause notice to the following candidates:

- Judd Matheny
- Dennis Roach
- Michael Sparks
- Joe Towns, Jr.

Without objection, the board voted unanimously to schedule the next Registry meeting for December 10, 2014 at 1:00 p.m.

On motion by Lawless, seconded by Fincher, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.